

## ARTICLE IV

### SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS

#### SECTION

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- 4.120 Minimum Design Standards for Transmission and Communication Towers and Stations (**Added by Resolution 17, November 16, 1998**)
- 4.130 Minimum Standards - Land Disturbing Activities (**Added by Resolution 10, Dated July 16, 2007**)
- 4.140 Minimum Standards - Sawmill Operations (**Amended by Resolution 8, Dated July 16, 2007**)
- 4.150 Development Standards for Accessory Dwelling (Mother-in-Law Apartments) (**Added by Resolution 5, Dated March 20, 2006 and Section Number Amended by Resolution 6, Dated January 24, 2011**)

#### 4.010 OFF-STREET PARKING REQUIREMENTS

Off-street automobile storage or standing space shall be provided on each lot upon which any of the following uses are hereafter established. One (1) vehicle space shall be one hundred sixty-two (162) square feet in size (9 feet x 18 feet) and such space shall be provided with vehicular access to a street or alley. All parking for industrial, commercial, or multi-family uses shall be covered with a dustless material and spaces lined and marked. The number of parking spaces provided shall meet the minimum requirements for the specific uses as set forth below:

- A. **Single Detached Dwelling, Duplex and Mobile Homes:** Not less than two (2) spaces for each dwelling unit.
- B. **Apartment, Townhouse, and Condominium:** Not less than two (2) spaces per dwelling unit.
- C. **Boarding Houses and Rooming Houses:** Not less than one (1) space for each (1) room to be rented
- D. **Other Dwelling Units:** Not less than two (2) spaces per dwelling unit.
- E. **Hotels, Motels and Other Tourist Accommodations:** Not less than one space for each room to be rented plus one (1) additional space for each two (2) employees.

- F. Any Auditorium, Church, Stadium, or Other Place of Public Assembly:** Not less than one (1) space for each four (4) seats provided in such places of assembly. For places of public assembly where seating is not a measure of capacity, such as clubhouses, funeral parlors, etc., at least one (1) space for each two hundred (200) square feet of floor space devoted to that particular use shall be provided.
- G. Manufacturing, Industrial or Wholesaling Use:** Not less than one (1) space for each two (2) employees anticipated during maximum production, with a minimum of five (5) spaces provided for any establishment. For establishments maintaining space for the sale of products at retail, there shall be provided one (1) parking space for each five hundred (500) square feet of floor area devoted to retail sales.
- H. Office and Professional Buildings:** Not less than one (1) parking space for each two hundred-fifty (250) square feet of office space, or fraction thereof.
- I. Retail Sales and Service Establishments:** Not less than one (1) parking space for each two hundred (200) square feet, or fraction thereof, of floor space.
- J. Medical or Dental Clinic:** Not less than four (4) spaces per doctor, plus one (1) additional space for each employee.
- K. Service Stations:** Not less than five (5) spaces for each grease rack or service bay, or one (1) space for each fifteen hundred (1,500) square feet of lot area of fraction thereof, whichever is greater.
- L. Restaurants:** Not less than one (1) space per one hundred-fifty (150) square feet of floor area, plus one (1) space for each two (2) employees. For drive-in restaurants, one (1) space per one hundred (100) square feet of floor area, plus one (1) space for each two (2) employees.
- M. Shopping Centers:** Five and one-half (5 1/2) parking spaces for each one thousand (1,000) square feet of gross floor area.
- N. Other Structures or Uses Customarily Requiring Automobile Storage Areas:** For buildings and uses not listed, the off-street parking requirements shall be determined by the Board of Zoning Appeals.

#### **4.011 Certification of Minimum Parking Requirement**

Each application for a building permit shall include information as to the location and dimensions of off-street parking spaces and the means of ingress and egress to such space. This information shall be in sufficient detail to enable the building official to determine whether or not the requirements of this section are met.

#### **4.012 Combination of Required Parking Spaces**

The required parking space for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use, except that the parking spaces required for churches, theaters, or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night or on Sundays.

#### **4.013 Requirements for Design of Parking Lots**

- A. Except for parcels of land devoted to one- and two-family residential uses, all areas devoted to off-street parking shall be so designed and be of such size that no vehicle is required to back into a public street to obtain egress.
- B. Each parking space shall be no less than one hundred sixty-two (162) square feet in area.
- C. Entrances and exits for all off-street parking lots shall comply with the requirements of Section 3.090, of this resolution.
- D. The parking lot shall be designed in such a manner as to provide adequate drainage and to eliminate the possibility of stagnant pools of water.
- E. A parking lot for multi-family residential, commercial or industrial uses shall be suitably paved with an all weather wearing surface or dustless material. All paving must be completed within six (6) months after completion or issuance of a temporary occupancy permit.

#### **4.020 OFF-STREET LOADING AND UNLOADING REQUIREMENTS**

Every building or structure hereafter constructed and used for industry, business, or trade involving the receiving or distribution of vehicles, materials, or merchandise shall provide space for the loading and unloading of vehicles off the street or public alley. Such space shall have access to a public or private alley, or if there is no alley, to a public street. The minimum required spaces for this provision shall be based on the total usable floor area of each principal building according to the following table:

<b>Total Usable Floor Area (See for Principal Building Definition)</b>	<b>Spaces Required Article II, for</b>
0 to 4,999 sq. ft.	One (1) space
5,000 to 9,999 sq. ft.	Two (2) spaces
10,000 to 14,999 sq. ft.	Three (3) spaces
15,000 to 19,999 sq. ft.	Four (4) spaces
Over 20,000 sq. ft.	Four (4) spaces, plus one (1) space for each additional 20,000 sq. ft.

The Board of Zoning Appeals may reduce or increase this requirement in the interest of safety where unusual or special conditions are due consideration.

#### **4.030 TEMPORARY USE REGULATIONS**

The following regulations are necessary to govern the operation of certain necessary or seasonal uses nonpermanent in nature. Application for a Temporary Use Permit shall be made to the Board of Zoning Appeals through the Building Department. Said application shall contain a graphic description of the property to be utilized and a site plan, a description of the proposed use, and sufficient information to determine yard requirements, setbacks, sanitary facilities, and parking space for the proposed temporary use.

The following uses are deemed to be temporary uses and shall be subject to the specific

regulations and time limits which follow and to the regulations of any district in which such use is located.

- A. Carnivals, Festivals or Circuses:** May obtain a Temporary Use Permit in the Agricultural, Commercial, or Flood Districts; however, such permit shall be issued for a period of not longer than fifteen (15) days. Such use shall be permitted on lots where adequate off-street parking can be provided
- B. Limited Duration Goods and Merchandise:** May obtain a thirty (30) day temporary Use permit for the display and sale of limited duration goods and merchandise on open lots in any district.
- C. Temporary Buildings:** In any district, a Temporary Use Permit may be issued for contractor's temporary office and equipment sheds incidental to a construction project. Such permit shall not be valid for more than one (1) year, but may be renewed for six (6) month extensions; however, not more than three (3) extensions for a particular use shall be granted. Such use shall be removed immediately upon completion of the construction project, or upon expiration of the Temporary Use Permit, whichever occurs sooner.
- D. Real Estate Sales Office:** In any district, a Temporary Use Permit may be issued for a temporary real estate sales office in any new subdivision which has been approved by the planning commission under the Cheatham County Subdivision Regulations. Such office shall contain no living accommodations. The permit will be valid for one (1) year, but may be granted two (2), six (6) month extensions. Such office shall be removed upon completion of sales of the lots therein, or upon expiration of the Temporary Use Permit, whichever occurs sooner.
- E. Religious Tent Meeting:** In any district, except Industrial Districts, a Temporary Use Permit may be issued for a tent or other temporary structures to house a religious meeting. Such permit shall be issued for not more than a thirty (30) day period. Such activity shall be permitted only on lots where adequate off-street parking can be provided.
- F. Seasonal Sale of Farm Produce:** In any district except the industrial districts, a Temporary Use Permit may be issued for the sale of farm produce grown on the premises. Structures utilized for such sales shall be removed when not in use. The permit shall be issued for a five (5) month period. All structures must be set back from the right-of-way.
- G. Temporary Dwelling Units in Case of Medical Hardships:** In any district, a Temporary Use Permit may be issued to place a mobile home on a lot which already contains a residential structure, provided that the purpose of such temporary placement shall be to make it possible for a resident of either structure to provide assistance to a person who requires daily assistance due to physical or mental disability, and provided further that such a temporary structure does not represent a hazard to the safety, health, or welfare of the community.

An applicant for a Temporary Use Permit as provided under this Subsection must produce a written statement from a physician certifying that the specific disability requires assistance from someone in close proximity as evidence of such disability, and a written statement from the Cheatham County Health Department approving the sewage disposal system of the proposed temporary structure.

Such permit may be initially issued for twelve (12) months. A permit may be renewed for six (6) months at a time, subject to producing a new statement from a physician certifying that the assistance is still required due to the disabling condition. The temporary permit shall be revoked and the structure removed immediately upon expiration of the permit or upon a change in the conditions under which such permit was issued.

The person requiring assistance due to the disabling condition may be a resident of either the temporary or permanent structure. The temporary residence shall be treated as an accessory building.

**H. Temporary Dwelling Unit in Cases of Special Hardship:** In any residential district, a Temporary Use Permit may be issued to place a mobile home (double-wides excluded) temporarily on a lot in which the principal structure was destroyed by fire, explosion or natural phenomenon. The purpose of such placement temporarily shall be to provide shelter for only the residents of the principal structure during the period of reconstruction and to prevent an exceptional hardship on the same. Placement of such temporary structure must not represent a hazard to the safety, health, or welfare of the community. An applicant for a Temporary Use Permit as provided under this subsection must produce a written statement from the Cheatham County Health Department and/or the Utilities System approving the water supply and sewage disposal systems of the temporary structure. Such a permit may be initially issued for nine (9) months. A permit may be renewed for up to six (6) months at a time, the total time for all permits not exceeding a total of eighteen (18) months.

**I. Temporary Manufacture of Road Materials:** In any district, except the residential districts, a Temporary Use Permit may be issued upon approval by the Cheatham County Board of Zoning Appeals to operate manufacturing plants which are necessary in order to produce the materials required for the construction of approved public roads where the Board finds that such a use is not potentially noxious, dangerous, or offensive. In the exercise of its approval, the Board of Zoning Appeals may impose such conditions upon the proposed plants as it may deem advisable in the furtherance of the general purposes of this resolution.

Such a permit may be initially issued for a nine (9) month period. A permit may be renewed for up to six (6) months at a time, the total time for all permits not exceeding a total of twenty-four (24) months

#### **4.040 CUSTOMARY INCIDENTAL HOME OCCUPATIONS**

A customary incidental home occupation is a gainful occupation or profession (including the professional office of an architect, artist, dentist, engineer, lawyer, physician and the like, barber, beauty and tailor shops) conducted by member of a family residing on the premises or only one person in addition to those persons residing therein and conducted entirely within the principal dwelling unit. In connection with a home occupation, no stock in trade shall be displayed outside the dwelling, and no alteration to any building shall indicate from the exterior that the building is being utilized in whole or in part for any purpose other than a residential unit, including permitted accessory buildings. An announcement sign of not more than four (4) square feet in area is permitted.

When questions arise regarding the legality of specific home occupations, the Board of Zoning Appeals shall determine whether said home occupation is in compliance with the district in

which said home occupation is located. However, activities such as dancing instruction, band instrument instruction (except piano instruction) tea rooms, tourist homes, real estate offices, convalescent homes, mortuaries, animal clinics, retail sales business, or any other activity deemed by the Board to be incompatible with the district or a potential nuisance to the surrounding area shall not constitute an acceptable home occupation.

#### **4.050 GASOLINE SERVICE STATION RESTRICTIONS**

The following regulations shall apply to all gasoline services stations:

- A. There shall be a building setback from all street right-of-way lines of a distance of not less than forty (40) feet, except for canopies designed to cover the gasoline pump islands.
- B. Gasoline pumps and canopies shall not be located closer than fifteen (15) feet to any right-of-way line.
- C. Sign requirements as established in Article IV, Section 4.080, shall be met.

#### **4.060 SWIMMING POOL RESTRICTIONS**

The following regulations shall apply to all swimming pools:

- A. No swimming pool or part thereof, excluding aprons, walks, shall protrude into any required front yard in the Agricultural and Residential Districts.
- B. The swimming pool area shall be walled or fenced so as to prevent uncontrolled access by children and pets from the street or adjacent properties. Said fence or wall shall not be less than three (3) feet in height and maintained in good condition.
- C. Private swimming pools are permitted in Agricultural, Residential, and Commercial Districts provided that the pool is intended, and is to be used solely for the enjoyment of the occupants and their guests of the property on which it is located.

#### **4.070 DEVELOPMENT STANDARDS FOR MULTI-FAMILY RESIDENTIAL PROJECTS**

This procedure shall be used in the case of a multi-family residential project of one (1) or more residential buildings to be constructed on a plot of ground not subdivided into the customary streets and lots, and which will not be so subdivided. The procedure applies to all proposals for multi-family (i.e., apartment and townhouse units) development whether such units are individually owned or held in common ownership. The reviewing agency for this plan is planning commission.

#### **4.071 Procedure for Submission and Review**

A site development plan as specified in Section 8.030, B, shall be required for review on all proposals subject to this provision. The approval of said plan along with any accompanying conditions associated with a particular development is precedent to any approval under this section.

#### **4.072 Required Development Standards**

The following shall apply to all developments subject to this provision:

A. Location

1. The site shall comprise a single lot or tract of land, except where divided by public streets.
2. The site shall abut a public street.

B. Density and Dimension

1. The average number of dwelling units per acre of buildable land, not including streets, shall not exceed that permitted within the applicable district.
2. All yard requirements as established for the districts in which such use is permitted are applicable, except where buildings may be joined by common walls.

C. Design

1. Internal Drives: The maximum grade on any drive shall be seven (7) percent unless an alteration is specifically approved by the planning commission.
2. Where feasible, all drive intersections shall be at right angles.
3. Minimum distance between buildings shall be thirty (30) feet at any point.

D. Public Street Access

1. The minimum distance between access points along public street frontage, center line to center line, shall be two hundred (200) feet.
2. The minimum distance between the center line of an access point and the nearest curb line or street line of a public street intersection shall be one hundred (100) feet.

E. Required Improvements

1. Internal Drives: Specifications for drives in multi-family residential developments shall conform to roadway specifications as specified by the Cheatham County Regional Planning Commission Subdivision Regulations to which reference is hereby made and incorporated herein by reference.
2. Utilities: The development shall be served with public water systems adequate to ensure fire protection and a public sanitary sewer system or an alternative sewage disposal system approved by the Cheatham County

Health Department. Fire hydrants are to be placed in accordance with Section 3.120, of this resolution. **(Amended by Resolution 15, Dated March 20, 2000)**

4. **Storage of Solid Waste:** Any central refuse disposal area shall be maintained in such manner as to meet county health requirements, and shall be screened from view.
5. **Service Building:** Service buildings housing laundry, sanitation, or other facilities for use by occupants shall be permanent structures complying with all applicable codes.
6. **Landscape Requirements.** See Article III, Section 3.110.

#### **4.080 STANDARDS FOR SIGNS, BILLBOARDS, AND OTHER ADVERTISING STRUCTURES**

##### **A. Purpose and Intent**

Signs constitute a separate and distinct use of the land upon which they are placed and affect the use of adjacent street, sidewalks, and property. The provisions of this section are made to establish reasonable and impartial regulations for all exterior signs to protect the general public health, safety, convenience, and welfare; to reduce traffic hazards caused by unregulated signs which may distract, confuse, and impair the visibility of motorist and pedestrians; to impair the visibility of motorists and pedestrians; to insure the effectiveness of public traffic signs and signals; to protect the public investment in streets, highways, and other public improvements; to facilitate the creation of an attractive and harmonious community; to protect property values; and to further economic development.

##### **B. Applicability**

These sign regulations shall apply to all exterior signs within Cheatham County which are outside corporate city limits.

##### **C. Definitions**

**Awning-** Any non-rigid material such as fabric or flexible plastic that is supported by or stretched over a frame that is attached to an exterior wall.

**Awning Sign-** A sign placed directly on the surface of an awning.

**Banner-** A sign that is mounted on or attached to a non-rigid surface such as cloth, fabric, plastic, or paper.

**Billboard-** See off premises sign.

**Bulletin Board Sign-** A particular type of changeable copy sign that displays copy in a casement of glass or Plexiglass.

**Canopy-** An extension of the roof of a building or a freestanding structure that has a roof with support, but no walls.



**Canopy Sign-** A sign attached to a canopy.

**Changeable Copy Sign-** A sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or surface of the sign.

**Copy-** The characters, letters, or illustrations displayed on a sign face.

**Directional Sign-** A sign that provides on-site directional assistance for the convenience of the public such as location of exits, entrances, and parking lots.

**Directory Sign-** A sign which displays the names and/or addresses of the establishments or uses of a building or group of buildings.

**Freestanding Sign-** The general term for any on-site sign which is supported from the ground and not attached to a building.

**Frontage, Building-** The length of a building that faces a street, parking area, or private drive.

**Frontage Lot-** The length of that part of zoning lot that fronts a public street.

**Illegal Sign-** A sign that was constructed in violation of regulations that existed at the time it was built.

**Illuminated Sign-** A sign illuminated in any manner by an artificial light source, whether internally or externally lit.

**Marquee-** A permanent structure other than a roof attached to, supported by, and projecting from a building and providing protection from natural elements.

**Marquee Sign-** A sign attached to and made part of a marquee or any other similar projection from a building.

**Monument Sign-** A freestanding sign with a base affixed to the ground which measures at least two-thirds the horizontal length of the sign.

**Nonconforming Sign-** A sign that met all legal requirements when constructed but that is not in compliance with this ordinance. An illegal sign is not a nonconforming sign.

**Off-Premises Sign-** Any sign which is not located on the premises that it identifies or advertises.

**Pole Sign-** A freestanding sign with a base at least seven (7) feet above the ground which is supported from the ground by a pole or a similar support structure of narrow width.

**Portable Sign-** A sign that is not permanently affixed to building, structure, or the ground or designated to be permanently affixed to a building, structure, or the ground.

**Projecting Sign-** A sign which is supported by an exterior wall of building and which is displayed perpendicular to the face of the building.

**Sign Distance Triangle-** The land adjoining a street intersection that is kept clear of obstructions between three (3) and seven (7) feet above ground to protect the visibility and safety of motorists and pedestrians. The protected sight distance area is the triangle

with legs shall extend thirty-five (35) feet away from the intersection of the flowlines. Where collector or arterial streets meet, the legs shall extend forty-five (45) feet away from the intersection of the flowlines.

**Sign-** Any device situated outdoors that displays letters, characters, or graphics to identify a land use or attract the public's attention.

**Temporary Sign-** A sign that is displayed only for a specified period of time.

**Wall Sign-** A sign painted on or attached to a wall of a building and parallel to the wall.

D. Administration

The building inspector shall have the responsibility and full authority to administer and enforce all provisions of this ordinance, other than those provisions specifically reserved for the authority of the Board of Zoning Appeals.

E. Permit Procedures

1. Permit Required

No sign or sign structure, except as provided in Sections I (exempt signs) and N (nonconforming signs), shall be erected, displayed, altered, relocation, or replaced until a sign permit has been issued. For the purpose of this ordinance, all signs are considered accessory uses of real property and shall be located on the premises of the principal use to which they pertain.

2. Permit Application

Applications for sign permits shall be submitted on a form provided by the building inspector and shall contain or have attached at a minimum the following information in either written or graphic form:

- a. Application date.
- b. Name, address, and telephone number of the sign owner and, if different, the owner of the land on which the sign will be erected.
- c. Address of property where the sign or sign structure will be erected.
- d. Signature(s) of the sign owner and, if different, the owner of the land on which the sign will be displayed.
- e. Location of the sign on the property in relation to lot lines, buildings, sidewalks, streets, public rights of way, and intersection.
- f. Type of sign (i.e., monument, wall) and general description of structural design and construction materials.
- g. Drawing(s) of the proposed sign which shall contain specifications indicating height, perimeter, and area dimensions, means of support, method of illumination if any, and any other significant aspect of the proposed sign.
- h. Any other information requested by the building inspector in order to carry out the purpose and intent of the these regulations.

3. Permit Review, Issuance, and Recording

The building inspector shall examine all sign permit applications. Permit applicants shall be issued a copy of the original permit application, with approval and approval date noted, for all signs which conform to the requirements of this ordinance. Such approved applications shall serve as sign permits. The building inspector shall maintain a record of all sign permit applications with notations of approval or disapproval. All sign permits shall be dated and numbered in the order of their issuance.

4. Inspections

A final inspection by the building inspector or his designee shall be completed after installation of all approved signs. Any discrepancies between an approved sign and a sign as constructed shall be identified in writing and may result in the halt of construction or sign removal, if so ordered by the building inspector.

5. Complaints and Revocations

The building inspector shall investigate any complaints of violations of this ordinance and may revoke a permit if there is any violation of the provisions of this ordinance or there was misrepresentation of any material facts in either the application or plan.

F. Expiration of Sign Permits

If an approved sign is not erected within a period of twelve (12) months from the date the permit was originally issued, the permit shall expire and become null and void.

G. Removal

1. Illegal Signs

The building inspector may remove or order the removal of any sign not in conformance with the provision of this ordinance, at the expense of sign owner or lesser.

2. Immediate Peril

If the building inspector shall find any sign which is an immediate peril to persons or property, the sign shall be removed. If the building inspector cannot locate the sign owner or lessor for immediate removal of the sign, he shall remove or order the removal of the sign at the expense of the sign owner or lessor.

H. Variances

1. Generally

The Board of Zoning Appeals may grant variances for the following reasons:

- a. To allow a setback for a sign that is less than the required setback.
- b. To allow the area or height of a sign to be increased by up to twenty-five (25) percent of the maximum height or area allowed.

2. Standard of Review

The Board of Zoning Appeals shall consider applications for variances only in situations where the applicant has been denied a sign permit by the building inspector. The Board may grant a variance authorized by this section if it finds that the following special physical conditions exist:

- a. The zoning lot on which an activity is located is unusually shaped or exhibits unusual topography; and
- b. Such physical characteristics prevent legal signing from identifying the activity compared to legal signing identifying other activities in the immediate area.

3. Procedures

All request for variances must be filed with the Board of Zoning Appeals within thirty (30) days of the decision by the Building Inspector.

I. Exempt Signs

Sign permits shall not be required for the following:

**Address and Name of Resident-** Signs indicating address and/or name of residential occupants of the premises, not exceeding two (2) square feet in area, and not including any commercial advertising or identification.

**Artwork-** Works of art that do not include any commercial messages or references.

**Decals-** Decals affixed to windows or door glass panes, such as indicating membership in a business group or credit cards accepted at establishment.

**Directional Signs-** Signs giving on-site directional assistance for the convenience of the public, not exceeding two (2) square feet in area or located closer than five feet to any property line. Directional signs may be internally lit or illuminated by white light only.

**Flags, Emblems, and Insignia-** Of any governmental agency or religious, charitable, public or non-profit organization, subject to the following: No single flag that is flown shall exceed forty (40) square feet in area and no single zoning lot shall fly more than three flags. If the total area of such flags exceeds seventy-two (72) square feet, the excess shall be included in the sign area calculations for the zoning lot. Flagpoles shall not exceed twenty- five (25) feet in height. Wall mounted flags, emblems, or insignia shall be limited to one per zoning lot and shall not exceed forty (40) square feet in area.

**Handicapped Parking Space Sign-** Signs not exceeding two (2) square feet in area reserving parking spaces for handicapped motorists.

**Home Occupation Signs-** On-premises identification signs for home occupations shall not exceed two (2) square feet in area and shall contain

only the name of the business and/or business owner. Such signs shall be located on an exterior wall, window, or door of the premises.

**Private Drive Signs-** On-premises private drive signs limited to one per drive entrance, not exceeding two (2) square feet in area, with language limited to the words "private drive" and the address of any residences utilizing the private roadway.

**Public Signs-** Signs erected by government agencies or utilities including traffic, utility, safety, railroad crossing, and identification signs for public facilities.

**Security and Warning Signs-** On premises signs regulating the use of the premises, such as "no trespassing", "no hunting" and "no soliciting" signs that do not exceed two (2) square feet in area in residential zones and five (5) square feet in commercial and industrial areas.

**Temporary Real Estate Signs-** Temporary signs indicating the availability of real property for lease or sale, located on the premises being leased or sold. Display of such signs shall be limited to one per property not exceeding six (6) feet in height and not exceeding four (4) square feet in residential zones and eight (8) square feet in area in all other zones. Such signs shall be removed within seven (7) days of the settlement or lease of the property.

**Temporary Political Sign-** On premises temporary political signs may be located in any district. These signs are permitted in addition to any other signs permitted by this resolution. The signs shall be removed within seven (7) days after the election or political event.

J. Temporary Signs Requiring a Sign Permit

The following signs may be erected only after obtaining a temporary sign permit from the building inspector. the permit shall cite the length of time the sign may be displayed. If any temporary sign is not removed by the expiration of the appropriate time limit noted in this section, the building inspector may remove it and charge the costs of removal to the individual or enterprise responsible.

**Special Event Sign-** Signs announcing special events including, but not limited to, auctions, grand openings, new management, going out of business, and event sponsored by religious, charitable or public service groups. Any business, individual, or organization may display once in a twelve (12) month period a maximum of two (2) signs for up to fourteen (14) days prior to a special event. Such signs shall be attached to buildings or existing private sign structures or sign poles with the permission of the owner and shall not exceed sixteen (16) square feet in area each and shall be removed immediately following the event.

**Temporary Farm Products Signs-** Temporary on-premises signs announcing the availability of seasonal farm products. The number of signs shall not exceed two (2) and the total area of all such signs shall not exceed twenty (20) square feet, nor shall any sign exceed six (6) feet in height.

**Construction Sign-** Temporary signs announcing new buildings or projects, erected after the commencement of building construction or site development. Each construction site shall be limited to one (1) construction sign not exceeding twenty (20) square feet in area and eight (8) feet in height, which

shall be removed by the time a permanent sign is erected or a certificate of occupancy for the building is issued, whichever occurs first.

K. Standards and Criteria

1. Generally

The regulations in this section specify the number, types, sizes, heights, and locations of signs which are permitted within Cheatham County and which require a permit. Any sign regulations incorporated into a development plan approved by the County Court may supersede all or part of this section.

2. Determination of Sign Area

In meaning the area of signs permitted under these regulations, the entire face of the sign (one side only) and any wall work incidental to its decoration shall be included. Where both sides of a sign contain lettering or other allowable display, one side only shall be used to compute the allowable size of the sign. Where the sign consists of individual raised letters or a sign face of irregular shape, the sign area shall include the area of the smallest rectangle that encompass the letters or sign face.

3. Determination of Sign Height

The height of a sign erected within thirty (30) feet of a street shall be the distance from the grade level of the nearest curb of the street to the top of the sign or sign structure, whichever is greater. The height of all signs farther than thirty (30) feet from a street shall be the distance from the grade level where the sign is erected to the top of the sign or sign structure, whichever is greater.

4. Street Frontage Requirements for Freestanding Signs

Freestanding signs shall be permitted only on zoning lots with one hundred (100) feet or more of street frontage.

5. Spacing of Freestanding Signs

No freestanding sign shall be erected within one hundred (100) feet of another freestanding sign.

6. Installation of Wall Signs

All wall signs shall be installed flat against the wall of buildings and shall not extend from the wall more than twelve (12) inches.

7. Residential Districts

Within residential districts, signs authorized in Section I (exempt signs) do not require a permit. Permits are required for all other allowed signs and must conform to the following criteria:

a. Single Family Subdivision Identification Signs

Signs that identify the name of single family residential subdivisions, located at any street entrance to the subdivision shall be erected as follows:

- (1) Number- One (1) per main entrance, not exceeding two (2) per subdivision.
- (2) Type- Monument.
- (3) Maximum Size and Height- Thirty (30) square feet in area and six (6) feet in height. **(Amended by Resolution 5, Dated December 16, 2002)**
- (4) Minimum Setback- Ten (10) feet from any property line and outside of all sight visibility triangles.

b. Multi-Family Residential Complex Signs

Signs that identify the name and/or address of an apartment, townhouse, condominium, or other multi-family residential complex, located at any street or private drives entrance to the complex, shall be erected as follows:

- (1) Number- One (1) per main entrance, not to exceed two (2) per complex.
- (2) Type- Monument or pole.
- (3) Maximum Sizes and Heights: Thirty (30) square feet in area and six (6) feet in height. **(Amended by Resolution 5, Dated December 16, 2002)**
  - i. Monument Sign- Twenty (20) square feet in area and five (5) feet in height.
  - ii. Pole Sign- Sixteen (16) square feet in area and twelve (12) feet in height with the base of the sign at least seven (7) feet above the ground.
- (4) Minimum Setback- Ten (10) feet from any property line and outside of all sight visibility triangles.

c. Accessory Management or Rental Office Signs.

Signs that identify an accessory management or rental office shall be erected as follows:

- (1) Number- One (1).
- (2) Type- Wall.
- (3) Maximum Size and Height- Six (6) square feet in area and located below the roof line.

d. Churches, Public and Private Schools and Places of Public Assembly. **(Added by Resolution 5, Dated December 16, 2002)**

Signs that identify the name of the facility may be located as follows:

- (1) Number- One (1) sign per main entrance not to exceed two (2) per facility.
- (2) Type- Monument.
- (3) Maximum Size and Height- Thirty (30) square feet in area and six (6) feet in height.
- (4) Minimum Setback- Ten (10) feet from any property lines an

outside of all visibility triangles.

8. Commercial and Industrial Districts

Within commercial and industrial districts, signs authorized in Section I (exempt signs) do not require a permit. Permits are required for all other allowed signs and must conform to the following criteria.

- a. Signs Facing Residential Areas. Any sign erected within one hundred (100) feet of either an existing residential use or a residential zoning district shall be nonilluminated and limited to sixteen (16) square feet in area and five (5) feet in height.
- b. Minimum Setback. All signs and sign structures must be located at least ten (10) feet from any property line and outside of all visibility triangles.
- c. Zoning Lots with One Establishment. Any establishment located on a zoning lot with one establishment may erect signs as follows:
  - (1) Number- Maximum of two (2) signs, but in no case shall two (2) freestanding signs be allowed on the same zoning lot.
  - (2) Types- Wall, monument, pole, projecting, awning, canopy, or marquee.
  - (3) Maximum Sizes and Heights:
    - i. Wall or Marquee Sign- One (1) square foot of sign per two (2) linear feet of building frontage on which sign or signs are to be attached, up to a maximum of one hundred (100) square feet in area for all wall or marquee signs. The top of all wall and marquee signs shall be below the roof line and at a height no greater than twenty (20) feet above the ground.
    - ii. Pole Sign- One (1) square foot of sign area per five (5) linear feet of lot frontage on which the sign or signs are to be erected, up to a maximum of twenty-four (24) square feet in area. The top of the sign shall not exceed twenty (20) feet in height and the base of the sign shall be at least seven (7) feet above the ground.
    - iii. Monument Sign- One (1) square foot of sign area per five linear feet of lot frontage on which the sign or signs are to be erected, up to a maximum of thirty-two (32) square feet in area. The height of a monument sign shall not exceed five (5) feet.
    - iv. Projecting Sign- One (1) square foot of sign area per two (2) linear feet of building frontage on which the sign or signs are to be attached, up to a maximum of twelve (12) square feet in area. The top of all projecting signs shall be located below the roof line and at a height not greater than sixteen (16) feet above the ground. The



base of all projecting signs shall be no less than eight (8) feet above the ground. Projecting signs shall not project from the exterior wall of a building more than four (4) feet.

- v. Awning or Canopy Sign- One (1) square foot per two (2) linear feet of awning or canopy, up to a maximum of sixteen (16) square feet in area. No awning or canopy sign shall extend above the top of the awning or canopy.

d. Multiple Establishments on Single Zoning Lots

Multiple establishments on single zoning lots that do not constitute a shopping center may erect one monument sign with a maximum size of thirty-two (32) square feet and height of five (5) feet or one pole sign with maximum size of twenty-four (24) square feet and height of twenty (20) feet. In addition, each establishment located on a single zoning lot with two or more establishments may erect one sign as follows:

- (1) Type. Wall, projecting, awning canopy or marquee

- (2) Maximum Size and Height:

- i. Wall or Marquee Sign. One (1) square foot of sign area per two (2) linear feet of building frontage on which the sign or signs are to be attached, up to a maximum of one hundred (100) square feet in area for all wall or marquee signs. The top of all wall and marquee signs shall be below the roof line and at a height no greater than twenty (20) feet above the ground.
- ii. Projecting Sign. One (1) square foot of sign area per two (2) linear feet of building frontage on which the sign or signs are to be attached, up to a maximum of twelve (12) square feet in area. The top of all projecting signs shall be located below the roof line and at a height not greater than sixteen (16) feet above the ground. The base of all projecting signs shall be no less than eight (8) feet above the ground. Projecting signs shall not project from the exterior of the wall of a building more than four (4) feet.
- iii. Awning or Canopy Sign. One (1) square foot per two (2) linear feet of awning or canopy, up to maximum of sixteen (16) square feet in area. No awning or canopy sign shall extend above the top of the awning or canopy.

- e. Shopping Centers. Shopping centers with five (5) or more establishments planned as an integrated development shall be authorized to erect signs based on the following criteria:

- (1) Center Identification Sign. One (1) monument or pole sign per street fronting the center, not to exceed a total of two (2) signs, identifying the name of the center. the name of any major establishment within the center may serve as the name of the entire center. In addition to identifying the name of the center, the sign may identify up to two (2) individual

establishments within the center.

- i. Monument Sign. Each sign shall have a minimum area of twenty (20) square feet and a maximum area of one (1) square foot per three thousand (3,000) square feet of gross building floor area up to a maximum of forty (40) square feet and a maximum height of ten (10) feet.
  - ii. Pole Sign. Each sign shall have a minimum area of fifteen (15) square feet and a maximum area of one (1) square foot per three thousand (3,000) square feet of gross building floor area up to a maximum of thirty-two (32) square feet. The top of the pole sign shall not exceed fifteen (15) feet in height and the base of the pole sign shall be at least seven (7) feet above the ground.
- (2) Individual Establishment Signs. No freestanding sign shall be displayed for individual establishments located within a center. Any establishment may display one (1) sign per street frontage, up to a maximum of two (2) signs, according to the following criteria:
  - i. Wall or Marquee Sign. One (1) square foot of sign area per two (2) linear feet of building frontage on which the sign or signs are to be attached, up to a maximum of one hundred (100) square feet in area for wall or marquee signs. The top of all wall or marquee signs shall be located below the roof line and at a height no greater than twenty (20) feet above the ground.
  - ii. Projecting Sign. One (1) square foot of sign area per two (2) linear feet of building frontage on which the sign or signs are to be attached, up to a maximum of twelve (12) square feet in area. The top of all projecting signs shall be located below the roof line and at a height not greater than fifteen (15) feet above the ground. The base of all projecting signs shall be no less than eight (8) feet above the ground. Projecting signs shall not project from the exterior wall of a building more than four (4) feet.
  - iii. Awning or Canopy Sign. One (1) square foot per two (2) linear feet of awning or canopy, up to a maximum of sixteen (16) square feet in area. No awning or canopy sign shall extend above the top of the awning or canopy.
- f. Gasoline Stations. Automobile service and gasoline stations shall comply with all applicable sign regulations within this section, including the regulations for shopping centers if applicable. The following additional regulations shall apply to all automobile service and gasoline stations:
  - (1) Changeable Fuel Price Signs. Freestanding signs identifying the name of the business may include changeable copy indicating the current price of fuel dispensed on the premises. The area of the fuel price sign shall be included in determining the sign area for the business.
  - (2) Gas Pump Signs. Each gas pump shall be permitted a total of one (1) square foot of sign area to identify the product dispensed.
- g. Office and/or Industrial Centers. Office and/or industrial centers at least two (2) acres in size and planned as an integrated development shall be

authorized to erect signs based on the following criteria:

(1) Center Identification Signs. One (1) monument sign per public street frontage, not to exceed a total of two (2) monument signs identifying the name of the center only and not exceeding forty (40) square feet in area and six (6) feet in height.

(2) Individual Building Signs. Where an office and/or industrial center is comprised of two (2) or more buildings, each individual building may erect one (1) monument sign, not to exceed twenty (20) square feet in area and four (4) feet in height, identifying the principal establishment within the building.

(3) Individual Establishment Signs. Each individual establishment within an office and/or industrial building may erect one (1) wall sign of a size which does not exceed one (1) square foot in area per two (2) linear feet of building frontage on which the sign or signs are to be attached, up to a maximum of thirty-two (32) square feet in area. The top of the wall sign shall be located below the roof line and at a height no greater than fifteen (15) feet above the ground.

h. Directory Signs. Commercial and industrial properties may erect a directory sign identifying the names and/or addresses of the establishments within individual buildings. A directory sign shall not exceed fifteen (15) square feet in area and six (6) feet in height and precludes the use of any other freestanding sign for the zoning lot on the same street frontage.

i. Theaters. Theaters are authorized to erect one of the permitted wall or marquee signs with a changeable copy board displaying the name(s) and time(s) of the current motion picture or theatrical productions.

#### 9. Other Uses

In cases where the regulations within this section do not specifically address a sign requested in conjunction with a permissible use, the building inspector shall make a written interpretation of the ordinance, which shall be kept in the permanent record for the application.

#### L. Construction and Maintenance

##### 1. Building Code Compliance

All signs shall be constructed in compliance with the current building code.

Signs shall not be erected in or over a street or highway right of way, or on public land except as permitted in this ordinance.

##### 3. Condition of Signs

All signs and components shall be maintained in good repair and in a safe, clean, and attractive condition.

#### M. Prohibited Signs

The following are expressly prohibited unless specifically stated otherwise in this

ordinance.

**Animated and Moving Signs.** Including, but not limited to, pennants, flags with commercial messages, banners, streamers, propellers, discs, and searchlights.

**Flashing Signs.** Any signs that include lights which flash, blink, or turn on and off intermittently, not including time and temperature signs.

**Glaring Signs.** Signs with light sources or reflectivity of such brightness that constitute a hazard or nuisance as determined by the Building Inspector.

**Inflatable Signs and Objects.** Including, but not limited to, balloons.

**Off-Premises Signs, Including Billboards.** Any sign which is not located on the premises that it identifies or advertises.

**Portable Signs.** Any sign that is not permanently affixed to a building, structure, or the ground. This shall not apply to authorized temporary signs.

**Posters and Handbills.** Any signs affixed to trees or other natural vegetation, rocks, or utility poles.

**Roof Signs.** Any signs which are erected on a roof or which extend in height above the roof line of the building on which the sign is erected.

**Simulated Traffic Signs and Obstructions.** Any sign which may be confused with or obstruct the view of any authorized traffic sign or signal, obstruct the sight distance triangle at any street intersection or extend into the public right of way.

**Strings of Lights.** Including lights that outline property lines, sales areas, or any portion of a structure, and are intended to advertise or draw attention to a business or commercial activity.

**Vehicular Signs.** Any sign displayed on a parked vehicle, where the primary purpose of the vehicle is to advertise a product or business or to direct people to a business or activity. For the purpose of this ordinance, vehicular signs shall not include business logos, identification, or advertising on vehicles primarily used for other business purposes.

N. Nonconforming Signs

1. Generally

Any sign which does not conform to the provisions herein of the date of the enactment of this resolution or any date on which the resolution is amended, and any sign which is accessory to a nonconforming use, shall be deemed a nonconforming sign. No nonconforming sign shall be enlarged, extended, structurally reconstructed or altered in any manner, except that a sign face may be changed so long as the new face is equal to or reduced in height, sign area, and/or projection and a sign permit is issued for the sign face change.

2. Removal

Nonconforming signs may remain, provided they are maintained in good repair, except for the following:

- a. **Damage or Destruction of Sign.** A nonconforming sign which is damaged or destroyed to the extent of fifty (50) percent or more of its sign face shall not be altered, replaced or reinstalled unless it is in conformance with these regulations. If the damage or destruction is less than fifty (50) percent of the sign face, the sign may be restored within one (1) year of the damage or destruction, but shall not be enlarged in any manner.
- b. **Damage or Destruction of Use.** A nonconforming sign shall be removed according to the provisions of these regulations if the structure or use to which it is accessory is damaged or destroyed to the extent of fifty (50) percent or more of the principal structure's appraised value.
- c. **Change of Use.** Whenever a land use changes, any previously nonconforming signs which become nonconforming because of the change in land use must be modified so as to be in full compliance with these regulations.

O. Severable Nature of Resolution

The various sections, subsections, paragraphs, and clauses of this resolution are severable and in the event that any section, subsection, paragraph, or clause is adjudged invalid, the remainder of the resolution shall remain in full force and effect.

P. Protection of First Amendment Rights

Any sign, display, or device allowed under this resolution may contain, in lieu of any other copy, and otherwise lawful noncommercial message that does not direct attention to a business operated for profit or to a commodity or service for sale, and that complies with all other requirements of this resolution.

#### **4.090 DEVELOPMENT STANDARDS FOR MOBILE HOME PARKS**

##### **A. Mobile Home Park Building Permit**

###### **1. Review Procedure**

Twelve (12) copies of the required site plan shall be submitted to the Cheatham County Planning Commission at least ten (10) days in advance of the meeting at which it is to be reviewed. the Planning Commission will review the submittal for compliance with the mobile home park site plan standards set forth below. Incomplete information shall result in the site plan being returned without action. Once a building permit has been issued the applicant may begin construction.

###### **2. Site Plan Required**

A mobile home park building permit may only be issued for construction or extension of a mobile home park upon submission and approval by the planning commission of a site development plan containing the following information.

- a. The name and address of the applicant.
- b. The location, area, and dimensions of the proposed mobile home park site as well as a legal description.
- c. The location, size, and number of all mobile home spaces.
- d. The location and size of all buildings, improvements, and facilities (including roads, water, sewer, refuse disposal).
- e. The proposed use of buildings shown on the site plan.
- f. The location and size of all points of entry and exit for motor vehicles and the internal circulation plan (roadways and pedestrian walkways).
- g. The location and number of all off-street parking facilities.
- h. The location of park and recreation areas.
- i. A complete drainage plan with contour lines at five (5) feet.
- j. A location map showing the park site in relation to the existing public street pattern and indication of uses of property adjacent to the site and the location of all buildings within two hundred (200) feet of the site.
- k. A time schedule for development shall be prepared which shall demonstrate the applicant's readiness and ability to provide the proposed services. Said time shall be for a period of not more than one (1) year.
- l. Such other architectural, engineering, and topographical data as may be required to permit the county health department, the Building Department, the Planning Department, and the Planning Commission to determine if the provision of these regulations are being

complied with shall be submitted with the site plan.

m. Landscaping as regulated in Section 3.110.

B. Development Standards

1. General

- a. No part of the park shall be used for nonresidential purposes, except such uses as are required for the direct servicing and well being of park residents and for the management and maintenance of the park. Nothing contained in this section shall be deemed as prohibiting the sale of a mobile home located on a mobile home stand and connected to the pertinent utilities.
- b. Condition of soil, ground water level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, dust, noise, odors or other adverse influences, and no portion subject to flooding or erosion and shall be used for any purpose which would expose persons of property to hazards.

2. Minimum Development Size

No mobile home park shall be approved which contains less than five (5) acres in area or has less than ten (10) mobile home spaces.

3. Dimensional Requirements for Parks

- a. Along the entire periphery of the mobile home park, yards and setbacks meeting the district regulations shall be provided.
- b. Within the interior portions of the mobile home park, no yards except as required to meet other provisions set forth in this section are required.
- c. No building or structure erected or stationed in a mobile home park shall have a height greater than two (2) stories or thirty (30) feet.
- d. Each mobile home park shall be permitted to display, on each street frontage, one (1) identifying sign of a maximum size of twenty (20) square feet. Said sign(s) shall contain thereon only the name and address of the park and may be lighted by indirect lighting only.
- e. At no time shall the density for the park exceed the maximum permissible density for the district it is located in.

4. Spacing of Mobile Homes and Site Coverage

- a. Mobile homes shall be so harbored on each space that there shall be at least a twenty-five (25) foot clearance between mobile homes; for mobile homes parked end-to-end, the end-to-end clearance may be less than twenty-five (25) feet but not less than fifteen (15) feet. No mobile home shall be located closer than twenty (20) feet from any building within the park.

- b. There shall be a minimum distance of ten (10) feet between the nearest edge of any mobile home and an abutting access street.
- c. Each mobile home stand shall not occupy an area in excess of twenty- five (25) percent of the respective lot area. The total area occupied by the mobile home and its accessory structures shall not exceed fifty (50) percent of the respective lot area.

5. The Mobile Home Space

- a. **General:** The limits of each mobile home space shall be marked on the ground by suitable means. Location of space limits on the ground shall be the same as shown on accepted plans. No space shall be smaller than five thousand (5,000) square feet.
- b. **Mobile Home Stands:** The mobile home stands shall be improved to provide adequate support for the placement and tie-down of the mobile home. The stand shall not heave, shift or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration, wind or other forces acting on the structure. In addition, such stand shall comply with the publication of FHA "Minimum Property Standards for Mobile Home Parks", **May, 1977**.
- c. **Outdoor Living Area:** Each mobile home lot should be provided with an outdoor living and service area. Such area should be improved as necessary to assure reasonable privacy and comfort. The minimum area should be not less than two hundred (200) square feet and shall be paved.
- d. Tenant storage shall be provided for each mobile home at the rear of the mobile home space.

6. Utilities and Other Services

- a. An accessible, adequate, safe and potable supply of water shall be provided in each mobile home development on trunk lines not less than six (6) inches. Where a public supply of water of satisfactory quantity, quality, and pressure is available at the site or at the boundary of the site, connection shall be made thereto and its supply use exclusively.
- b. Each mobile home site shall be provided with the connection to a sanitary sewer line or to a sewage disposal system approved by the Cheatham County Health Department.
- c. Solid waste collection stands shall be provided for waste containers for each mobile home. Any central waste container shall be screened from view with access appropriately provided.
- d. Service buildings housing sanitation and laundry facilities shall be permanent structures complying with all applicable ordinances and statutes, regulations, buildings, electrical installations, and plumbing and sanitation systems.
- e. Each mobile home park shall be equipped with fire hydrants spaced no more than five hundred (500) feet apart. The water system shall be capable of providing a required fire flow of five hundred (500) gallons per minute for a one (1)



hour duration.

- f. Each mobile home park shall be maintained free of litter and accumulation of any kind of debris which may provide rodent harborage or breeding places for flies, mosquitoes, or other pests.

7. Streets

Entrances to mobile home parks shall have direct connections to a public street and shall be designed to allow free movement of traffic on the adjacent public street. Safe and convenient vehicular access shall be provided from abutting public streets to each mobile home lot. Such access shall be provided by streets or driveways. All internal streets shall be private.

a. Circulation

The internal street systems should provide convenient circulation by means of minor streets and properly located collector streets. Dead-end streets shall be limited in length to five hundred (500) feet and their closed end shall be provided with an adequate turn-around with a minimum diameter of eighty (80) feet.

b. P a v e m e n t   W i d t h s

Pavement widths shall be as follows:

<b>Collector Street</b>	
<b>with no parking</b>	<b>20 ft.</b>
<b>with on-street parking</b>	<b>36 ft.</b>
<hr/>	
<b>Minor Street</b>	
<b>with no parking</b>	<b>18 ft.</b>
<b>with on-street parking</b>	<b>34 ft.</b>
<hr/>	
<b>One-Way Minor Street</b>	
<b>with no parking</b>	<b>12 ft.</b>
<b>with on-street parking</b>	<b>28 ft.</b>

c. Construction

The internal streets and drives shall be paved in accordance with Cheatham County Subdivision Regulations.

8. Walks

All mobile home developments shall be provided with safe, convenient, all- season pedestrian access of adequate width for intended use, durable and convenient to maintain. Sudden changes in alignment and gradient shall be avoided.

A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of three and one-half (3 1/2) feet.

All mobile home stands shall be connected to common walks, streets, driveways and

parking spaces by individual walks. Such individual walks shall have a minimum width of two (2) feet.

9. Recreation Area

Adequate recreation facilities for the residents of the project shall be provided in locations easily accessible to the living units and where they do not impair the view and privacy of living units. Attractive outdoor sitting areas shall be provided, appropriate in size, type and number to the needs of the residents.

Well-equipped playgrounds of adequate size and number shall be provided where it is anticipated that children will occupy the premises.

10. Buffer and Screening

A landscape buffer shall be provided along the perimeter of the site boundaries not less than fifteen (15) feet in width, except that a minimum buffer area from any public street shall be no less than twenty (20) feet.

Within the landscaped buffer, a continuous fence six (6) to eight (8) feet high or landscaped screen shall be provided. Such fence shall be opaque and such screening shall be a year-round evergreen four (4) feet wide and at least four (4) feet high at the time of planting and expected to achieve a height of six (6) feet within three (3) years. No landscaped screen or fence shall be provided within fifteen (15) feet of any vehicular entrance and/or exit to the park.

11. Site Design

The appearance and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features; and additional new plant material shall be added for privacy, shade, beauty of buildings and grounds and to screen out objectionable features. The planting plan shall be submitted with the site development plan.

12. Parking

- a. Off-Street Parking  
As regulated in Section 4.010

C. Responsibility of Park Management

1. The permittee shall operate the mobile home park in compliance with this resolution and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
2. The permittee shall notify park occupants of all applicable provisions of this resolution and inform them of their duties and responsibilities under this resolution.
3. The permittee shall supervise the placement of each mobile home on its mobile home stand to the satisfaction of the building department which includes securing its stability to anchor pins and installing all utility connections.
4. The permittee shall maintain a register containing the following information:

- a. The name and address of each mobile home occupant.
  - b. The name and address of the owner of each mobile home and motor vehicle by which it was towed.
  - c. The make, model, year, and license number of each mobile home and motor vehicle.
  - d. The date of arrival and of departure of each mobile home.
- 5. The mobile home park shall keep the register record available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register.
  - 6. The register record shall not be destroyed for a period of three (3) years following the date of departure of the registrant from the park.
  - 7. The permittee shall notify the health authority immediately of any suspected communicable or contagious disease within the park.
  - 8. The permit to operate shall be conspicuously posted in the mobile home park office at all times.
  - 9. The permittee shall be answerable for the violation of any provision of this section.

D. Responsibilities of Park Occupants

- 1. The park occupants shall comply with all applicable requirements of this Zoning Resolution and shall maintain his/her mobile home lot, its facilities and equipment in good repair and in a clean and sanitary condition.
- 2. The park occupant shall be responsible for proper placement of the mobile home on its mobile home stand and proper installation of all utility connections and anchoring in accordance with the instruction of the park management.
- 3. Skirtings, awnings, and other additions shall be installed only if permitted and approved by the park management. When installed, they shall be maintained in good repair. The space immediately underneath each mobile home shall be used for storage only if permitted by the park management. If permitted, the following conditions shall be satisfied:
  - a. The storage area shall be provided with a base of impervious material.
  - b. Stored items shall be located so as not to interfere with the underneath inspection of the mobile home.
  - c. The storage area shall be enclosed by skirting.
- 4. The park occupant shall store and dispose of all rubbish and garbage in a clean,

sanitary and safe manner. The garbage container shall be rodent proof, insect proof, and watertight.

5. Fire extinguishers for Class B and C fires shall be kept at the premises and maintained in working condition.
6. All park occupants shall be required to register their pets (dogs and cats) with the park management.
7. All park occupants shall be required to have their pets (dogs and cats) on a leash and shall not be allowed to roam free and unleashed.
8. Park occupants shall not be allowed to construct or place pens for animals on the park premises.
9. No inoperative automobiles, junk, or noncontained trash shall be allowed within the park.

E. Inspections

1. The building official or other designated official is hereby authorized and directed to make annual inspections to determine the conditions of mobile home parks, in order to insure the health and safety of occupants of mobile home parks and of the general public.
2. The building official or other designated official shall have the power to enter upon any private and public property for the purpose of inspecting and investigating conditions relating to the annual inspection as it is related to the enforcement of this section.

3. Penalties

- a. Any person violating any provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each offense.
- b. Each day that a violation is permitted to exist shall constitute a separate offense.
- c. Any extension of an existing mobile home park is considered a noncomplying use and is hereby prohibited unless said park is brought up to the standards herein stated.

F. Revocation of Permit

The Board may revoke any permit to maintain and operate a park when the permittee has been found guilty by a court of competent jurisdiction of violating any provisions of this section. After such conviction, the permit may be reissued if the circumstances leading to conviction have been remedied and the park is being operated and maintained in full compliance with this section.

G. Prohibited Structures

1. Cabanas, travel trailers, and other similarly enclosed structures are prohibited.

2. Trailers with or without toilet facilities that cannot be connected to approved sewer systems shall not be permitted in a mobile home park.
3. Mobile homes shall not be used for commercial, industrial or other nonresidential uses within a mobile home park, except that one (1) mobile home in the park may be used to house a rental office.

#### **4.100 DEVELOPMENT STANDARDS FOR AUTOMOBILE WRECKING, JUNK AND SALVAGE YARDS.**

A site development plan specified in Section 8.030, B, shall be submitted for review on all proposals subject to this provision. The approval of said plan along with any accompanying conditions associated with a particular development is precedent to any approval under this section. The Cheatham County Regional Planning Commission is the agency responsible for this review.

Because of the nature and character of their operations, automobile wrecking and salvage yards, junkyards, and similar uses of land can have a decidedly detrimental effect upon surrounding properties. Salvage and wrecking yards tend to create problems of noise, dust, traffic and health hazards, and may adversely affect property values by their general appearance. The following standards shall be used as a guide in evaluating whether proposed land uses, such as those outlined above, will have properly minimized their objectionable characteristics:

- A. All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place or places in which rats, mice, or other vermin may be harbored, reared, or propagated.
- B. Because of the tendency for salvage yards to promote the breeding of vermin, no such operation shall be permitted closer than one thousand (1,000) feet from any established residential zone.
- C. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence, screen, or wall, excepting driveway areas, from eight (8) to twelve (12) feet in height. Storage between the road or street and such fence, screen, or wall is expressly prohibited. Any fence, screen, or wall for concealment shall be maintained in good condition.
- D. All such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to public health or safety.
- E. Off-Road Parking: As regulated in Article IV, Section 4.010.
- F. Ingress and Egress: The number of vehicular access driveways permitted on any single street frontage shall be limited to:
  1. One (1) driveway where the parcel to be used has a maximum road or street frontage of one hundred (100) feet or less.
  2. Two (2) driveways where the road or street frontage exceeds one hundred (100) feet. Driveways used for ingress and egress shall be limited to twenty-five (25) feet in width maximum, exclusive of curb returns.

- G. No automobile wrecking, junk, or salvage yard shall be permitted within three hundred (300) feet of any public road in Cheatham County except where a more stringent state or Federal law applies.

#### **4.110 DEVELOPMENT STANDARDS FOR CEMETERIES**

- A. The following standards shall be imposed upon the development and construction of cemeteries in Cheatham County:
  - 1. The site proposed for a cemetery shall not interfere with the development of a system of collector and larger streets in the vicinity of such site. In addition, such site shall have direct access to a thoroughfare.
  - 2. Any new commercial cemetery shall be located on a site containing not less than twenty (20) acres.
  - 3. All structures including but not limited to mausoleums, permanent monuments, or maintenance buildings shall be setback not less than twenty-five (25) feet from any property line or street right-of-way.
  - 4. All graves or burial lots shall be setback not less than twenty-five (25) feet from any property line or street right-of-way line.
  - 5. All required yards shall be landscaped and maintained in good order in accordance with state and local regulations.

#### **4.120 MINIMUM DESIGN STANDARDS FOR TRANSMISSION AND COMMUNICATION TOWERS AND STATIONS (Amended by Resolution No. 17, Dated November 16, 1998 and Resolution 18, Dated November 16, 1998)**

Standards for Telephone, Telegraph, and Communications Transmitter Stations and Towers. All transmitter stations, including towers and operating equipment, shall adhere to the following standards:

- A. All towers with a height of one hundred fifty (150) feet (from base to top) or more shall be constructed in accordance with Electronic Industries Association ("EIA") Standard 222E-1991, utilizing a wind rating of eighty (80) miles per hour plus ice loading for Cheatham County, Tennessee. Each application for a building permit shall be accompanied by a certification by a professional engineer licensed in the State of Tennessee and competent in such design.
- B. A site plan in compliance with Section 7.030 and 8.030 shall be approved by the Planning Commission prior to the issuance of a building permit.
- C. All towers shall be set back from all property lines by a distance that is equal to:
  - 1. for a guyed tower, twenty (20) percent of the height, and
  - 2. for a self-supporting tower, fifty (50) percent of the height.

- D. All applications for permits to build towers in Cheatham County must be accompanied with a "Determination of No Hazard" from the Federal Aviation Administration, as well as all required Federal Communications Commission permit information.
- E. The entire tract containing the tower and equipment shall be enclosed with a fence no shorter than eight (8) feet in height. Access gates will be locked at all times when the site is not occupied.
- F. Where the tower site abuts or is contiguous to any residential district, there shall be provided a continuous, solid screening, and it shall be of such plant material as will provide a year-round evergreen screening. Screening, as required herein, shall not be less than six (6) feet in height at the time of planting, and shall be permanently maintained.
- G. All towers that require marking or lighting shall be done in compliance with Federal Aviation Administration regulations, but no tower shall be lighted from dusk to dawn by any form of white flashing light unless required by the Federal Aviation Administration.

#### **4.130 MINIMUM STANDARDS FOR LAND DISTURBING ACTIVITIES** **(Added by Resolution 10, Dated July 16, 2007)**

##### **Purpose:**

The purpose of this article is to establish procedures and standards to evaluate and regulate the effect a proposed development will have on fill, stormwater runoff, soil erosion, and channel erosion from such developments and surrounding areas, and to require, if necessary, that certain proposed developments be provided with adequate preparation, stormwater retention and detention.

The land disturbing, stormwater retention and detention rules of this article shall apply to any proposed development of land where a building permit is required.

The regulations of this article are supplemental to any other law that pertains to the development of land including buildings, structures, parking lots and other similar improvements. If there is a conflict between this article and any other law, the more stringent requirement shall apply.

##### **Definitions:**

- A. BEST MANAGEMENT PRACTICES:** Practices and control measures intended to minimize pollutants from property or facility stormwater runoff and the provision for long term responsibility for management control and of the same.
- B. DETENTION:** The holding of stormwater onsite until the existing drainage system can accommodate the runoff.

- C. DREDGING:** The removal or displacement by any means of soil, sand, gravel, shell or other like material from coastal wetlands, submerged lands, marshlands, or water bottoms.
- D. EXCAVATE:** Dig out, scoop out, hollow out or otherwise make a hole or cavity by removing soil, sand, gravel or other material from any property so as to change the grade of such property.
- E. FILL:** 1. (v) The placing upon or the building up of property with earth, sand, gravel, rock, or other material; 2. (n) The earth, sand, gravel, rock, or other material used for such purpose (as the context may indicate).
- F. RETENTION:** The slowing of stormwater runoff from leaving a site so that flow into the existing drainage system can be maintained at a reasonable level.
- G. CONSTRUCTION/DEMOLITION WASTES:** Wastes, other than special wastes, resulting from construction, remodeling, repair and demolition of structures. Such wastes include but are not limited to lumber, rebar, steel, drywall, plywood, asphalt shingles, plaster, paint, insulation, plastic, furniture and appliances.

#### **4.131 EROSION PREVENTION AND SEDIMENTATION CONTROL**

Installation of improvements must be done in such a manner as to provide for the most effective prevention of erosion and control of sediment. Developers shall follow the standards and best management practices outlined in the Tennessee Department of Environment and Conservation (TDEC) Soil and Erosion Handbook. Practical combinations of the following technical principles must be used:

- A. The smallest practical area of land must be exposed at any one time during development.
- B. All fill material must be compacted to prevent the occurrence of sinkholes, erosion and sediment loss from the developed property, and cannot be comprised of construction or demolition materials regulated by TDEC for disposal in a landfill.
- C. When land is exposed during development, the exposure is to be kept to the shortest practical period of time.
- D. Temporary vegetation and/or mulching must be used to protect critical areas exposed during development.
- E. Sediment basins (debris basins, desilting basins, or silt-traps) must be installed and maintained to remove sediment from waters from land undergoing development.
- F. Provisions must be made to effectively accommodate runoff caused by changed soil conditions during and after development.
- G. Permanent final vegetation and structures must be installed as soon as practical in the development.



- H. The development plan must be fitted to the topography and soils so as to create the least possible level of erosion.
- I. Wherever feasible, natural vegetation must be retained and protected.

#### **4.132 APPLICATION REVIEW**

The Building Official and/or other designated official shall review every application for a building permit to which this article applies and evaluate the proposed development to determine whether it will increase stormwater runoff. This determination will be based on the following factors:

- A. Location and size of the development
- B. Slope and soil conditions
- C. Use of fill materials
- D. Existing drainage systems and facilities
- E. Any other considerations which may pertain to the discharge of stormwater from the development site.

#### **4.133 STORMWATER RUNOFF**

- A. No owner of any parcel of land, whether with or without a structure thereupon, shall permit the erosion or escape of soil, sand, gravel or similar material from said parcel onto any public street or into any drainage channel that receives stormwater runoff from said parcel as to harm said public street or drainage channel.
- B. In the development of any site, including single-family houses and duplexes, the developer shall not construct the development so as to cause the discharge of stormwater runoff into either a newly constructed or existing drainage channel receiving runoff from the site in such a manner as to cause erosion of such channel.

#### **4.134 INSPECTION OF DEVELOPMENT**

The Building Official and/or other designated official shall inspect each development once the site plan is approved and a building permit issued. A failure to construct the development in accordance with the approved site plan, or in violation of any of this article, shall result in a revocation of the building permit and the refusal to issue a certificate of occupancy.

#### **4.135 PERMIT**

- A. It shall be unlawful for any person to fill or excavate a parcel of land if the grade or elevation of such parcel will be changed enough to result in an increase or decrease in the volume or rate of surface water flow from or onto the land of another unless such person shall have first obtained a permit issued in accordance with this article.

- B. It shall be unlawful for any person to alter or relocate any ditch, canal, drain or watercourse which drains or affects the drainage of land other than that of said person without having first obtained a permit issued under this article.
- C. Filling or excavating in the minimum amount required for the preparation of the foundation for a building or structure shall not require a permit under this article; nevertheless, any other permit or permits required by this Resolution or other laws of Cheatham County shall be obtained before beginning foundation preparation.
- D. Fill material shall not consist of construction/demolition debris as defined in 7 (d) 1 or customarily disposed in landfills regulated by the Tennessee Department of Environment and Conservation as defined in 7 (d) 2.
- E. TDEC Classification of Disposal Facilities SOLID WASTE PROCESSING AND DISPOSAL CHAPTER 1200-1-7 (Rule 1200-1-7-.01, August, 2006 (Revised))
  - 1. Class I Disposal Facility refers to a sanitary landfill which serves a municipal, institutional, and/or rural population and is used or to be used for disposal of domestic wastes, commercial wastes, institutional wastes, municipal solid wastes, bulky wastes, landscaping and land-clearing wastes, industrial wastes, construction/demolition wastes, farming wastes, shredded automotive tires, dead animals, and special wastes.
  - 2. Class II Disposal Facility refers to a landfill which receives waste which is generated by one or more industrial or manufacturing plants and is used or to be used for the disposal of solid waste generated by such plants, which may include industrial wastes, commercial wastes, institutional wastes, farming wastes, bulky wastes, landscaping and land-clearing wastes, construction/demolition wastes, and shredded automotive tires. Additionally, a Class II disposal facility may also serve as a mono fill for ash disposal from the incineration of municipal solid waste.
  - 3. Class III Disposal Facility refers to a landfill which is used or to be used for the disposal of farming wastes, landscaping and land-clearing wastes, demolition/construction waste, shredded automotive tires, and/or certain wastes having similar characteristics and approved in writing by TDEC.
  - 4. Class IV Disposal Facility refers to a landfill which is used or to be used for the disposal of demolition/construction wastes, shredded automotive tires, and certain wastes having similar characteristics and approved in writing by TDEC.

#### **4.136 APPLICATION REQUIRED**

- A. A person seeking a permit required by this article shall file a written application thereof

with the Building Official and/or other designated official.

**B. Required Information: The application shall contain:**

1. Name and address of the applicant.
2. A legal description of the parcel of land to be filled or excavated or upon which the ditch, canal, drain or watercourse to be altered or relocated is situated.
3. If required by the Building Official and/or other designated official, a topographical map of the land to be filled or excavated or of the ditch, canal, drain or watercourse to be altered or relocated and the surrounding area for such distance as the Building Official and/or other designated official may direct.
4. A description of the work to be done.
5. A description of the fill material, if any, to be used.
6. The estimated time needed for completion of the work.
7. Any other relevant information as may be reasonably required by the Building Official and/or other designated official.
8. Construction Site Runoff Controls Checklist (if applicable to permit request).

**4.137 MAINTENANCE OF FACILITIES AND GRANT OF EASEMENTS**

**A. Maintenance of Facilities:**

1. All improvements, including post-construction best management practices and landscaping, shall be maintained in perpetuity and cannot be developed for any other use which would limit or cause to limit the use of the improvements. Responsibility and maintenance of these improvements shall follow the Ownership of the property.
2. Each property owner shall be liable, within the contents of his or her deed, for the maintenance of the improvements. A special note to this effect shall appear on any final plat of subdivision.
3. When problems arise due to inadequate maintenance, the Cheatham County Inspector may inspect the improvements and compel the correction of the problem(s) by written notice. If it is impracticable for the property owner to make the correction, the property owner may contract with Cheatham County for the correction of the problem(s) if such service is available, provided that Cheatham County is adequately reimbursed.

**B. Grant of Easement:**

As a condition of issuing the permit, if required for the protection of the public or other landowners, the Building Official may require the applicant to:

1. Grant Cheatham County a drainage easement or easements across the land involved in the permit application and any adjacent land owned by the applicant; and,
2. Construct and maintain such drainage ditch or ditches as may be necessary. A Certificate of Post-Construction Best Management Practice

Perpetual Responsibility and Maintenance must be provided in order to obtain a Certificate of Occupancy.

## EXHIBIT A

### CHEATHAM COUNTY PLANNING DEPARTMENT CONSTRUCTION SITE RUNOFF CONTROLS CHECKLIST

This checklist is to be filled out before construction begins for all developments which anticipate land disturbance during construction. The checklist shall accompany the Building Permit Application. The purpose of the checklist is to monitor compliance with the CHEATHAM County Zoning Resolution, stormwater regulations of the U.S. Environmental Protection Agency and the stormwater regulations of the TENNESSEE Department of Environment and Conservation.

1. What is the area of land to be disturbed by the construction of this project? \_\_\_\_\_  
acres
2. Is such area of land to be disturbed greater than one (1) acre? \_\_ yes \_\_ no
3. If such area of land to be disturbed is greater than one (1) acre, has compliance with the requirements of the Tennessee Department of Environment and Conservation (aka TDEC) and/or the United States Environmental Protection Agency been attained? \_\_\_\_\_ yes \_\_\_\_\_no

#### **4.140 MINIMUM STANDARDS FOR SAWMILL OPERATIONS (AMENDED BY RESOLUTION 8, DATED JULY 16, 2007)**

##### **PURPOSE**

The purpose of this amendment is to establish the policy of allowing sawmills in the Agricultural, Residential, and Industrial Zones under specific standards and requirements designed to limit the use of sawmill operations located in each zone and to minimize its impact on neighboring agricultural, residential, and commercial properties.

##### **DEFINITIONS**

- A. Permanent Industrial Sawmill:** Generally operating on one (1) or more full-time work shifts, five (5) or more days per week, constructed for the processing of timber logs into forestry products such as milled lumber, cants, treated posts, firewood and wood by-products such as slab wood, wood chips, bark chips and sawdust, and including planning and sizing facilities, kilns, storage yards and accessory maintenance facilities incidental to sawmill operations.
- B. Permanent Small Scale Sawmill:** A facility for the processing of timber logs into forestry products such as milled lumber, cants, treated posts, firewood and wood by-products such as slab wood, wood chips, bark chips and sawdust, and which may include planning and sizing facilities, kilns, storage yards and accessory maintenance facilities incidental to sawmill operations, but which is generally operated for the custom cutting of timber for local loggers. Operation allowed only in A-Agriculture and I-1, 2 & 3 Industrial zoning districts.
- C. Portable Sawmill:** A small, self-contained sawmill that is moved to the site where the timber is to be sawn and then moved on to another location. This use does not include those permitted under other sawmill definitions.
- D. Temporary Sawmill:** Sawmill operations, not necessarily in structures, providing that no saw or other noisy equipment shall be operated within 100 feet of any highway or for more than 14 days of any calendar year within 300 feet of any residence. Such temporary sawmill use is limited to 7:00 am to 6:00 pm Monday through Friday in the Agriculture, Residential, and Commercial zoning districts.
- E. Noise Buffers:** The installation of absorbing material on walls and ceilings of enclosed or partially enclosed areas aids in reducing reflected noise throughout the mill. Buffers are defined as materials, equipment or other structures designed to reduce noise from sawmills to a level less than eighty (80) decibels, measured at any point outside the lot line.

#### **4.141 PERMANENT SAWMILL: INDUSTRIAL ZONE**

- A. Statement of Purpose:** The purpose of this amendment is to establish a policy of allowing sawmills in the I – 1, I – 2, and I – 3 Industrial zoning districts under specific standards and requirements designed to limit the use of a sawmill operation

located in an industrial zone and to minimize its impact on neighboring properties.

B. Statement of Use: The Special Permit application shall include a comprehensive statement of use describing the operations as per the following:

1. Specifications for the saw and all equipment related to the proposed use (including, but not limited to, trucks, chippers, etc.)
2. Identification of outside storage area, and
3. Other information as required by these regulations or by the Planning Commission.

Applicants are encouraged to consult with the Building Official and the Planning Department in the preparation of an application. The Planning Department shall refer an application for a sawmill Special Permit and the Site Plan to the Planning Commission for its comments not later than thirty days before the public hearing to be held in relation thereto. Any report submitted to the Planning Commission at or prior to the conclusion of the public hearing shall be made public at the hearing.

C. Minimum Standards - Location and Operation:

1. The sawmill facility shall be defined as the saw and related equipment (such as, but not limited to: planer, edger) or the building enclosing the operation. Sawmills shall be classified as an Industrial Activities land use.
2. Noise: No use shall be carried on in any manner which produces noise perceptible at any lot line of the lot on which the use is conducted at a level which at any time exceeds 85 decibels, measured at any point at the lot line.
3. It shall be the responsibility of the applicant to establish and maintain the sawmill facility in such a way that it will comply with the standards in the Noise Regulation detailed in Part C, Subpart 2 above. If necessary, noise reduction steps must be taken in order to comply with the standards. Prior to issuance of a Certificate of Occupancy, the Zoning Enforcement Officer shall request the applicant to provide certification of compliance with the Noise Regulation detailed in Part C, Subpart 2 above. If at any time the sawmill operation exceeds the maximum allowable noise level, the Zoning Enforcement Officer shall issue a cease and desist order.
4. The sawmill building shall be set back a minimum of 200 feet from property lines located in Residential zoning districts and 100 feet from property lines located in the Commercial zoning districts.
5. The use shall be limited to one commercial saw and related equipment. The hours of operation of the sawmill facility shall be limited to those between 7:00 a.m. to 10:00 p.m..
6. There shall be no burning of mill waste on the property.

D. General Standards for the Location of a Sawmill Building: The proposed sawmill shall be located to minimize noise and visual impact on surrounding

neighborhood properties. Wherever possible, the sawmill location shall be selected on the basis of the following general standards:

1. Located on a high point on the property in relation to surrounding properties.
2. Buffered from surrounding properties by a 20 foot buffer of trees or a solid fence 10 feet in height.
3. Set back the maximum distance possible from property lines.

E. Outside Storage: Any portion of the lot outside of an enclosed structure to be used for any equipment, material, product or by-product associated with the proposed operation shall be considered an outside storage area.

1. The outside storage area shall be clearly delineated on the Site Plan and shall be staked in the field.
2. The Planning Commission may require a landscape buffer or other screening of any planned outside storage area.
3. Outside storage areas shall be located a minimum of 100 feet from any property line.

F. Vehicular Access and Use: Access shall be so arranged as to minimize danger to traffic and nuisance to surrounding properties.

1. Because they will be serving a more intense use, existing access ways must be reviewed by the State DOT or the Road and Bridge Committee and the County Highway Department to determine consistency with State or County standards. New access ways shall be governed by current zoning regulations.
2. The Planning Commission may limit, as a condition of the permit, the size of vehicles and/or the number of daily, weekly, or monthly vehicular trips associated with sawmill use entering and leaving the property. Such conditions shall be made in consideration of the location of the site in relation to the State highway system, the width of county or city streets providing access to the site and the nature of the neighborhood along the streets leading to the site. The application shall include a map showing the approach streets to be used by all trucks entering or leaving the property.

#### **4.142 PERMANENT SAWMILL: AGRICULTURE ZONE**

- A. Statement of Purpose: The purpose of this amendment is to establish a policy of allowing sawmills in the Agriculture zoning district under specific standards and requirements designed to limit the use of a sawmill operation located in an Industrial zoning district and to minimize its impact on neighboring properties.
- B. Statement of Use: The Special Permit application shall include a comprehensive statement of use describing the operations as per the following:

1. Specifications for the saw and all equipment related to the proposed use

- (including, but not limited to, trucks, chippers, etc.)
2. Identification of outside storage area, and
  3. Other information as required by these regulations or by the Planning Commission.

Applicants are encouraged to consult with the Building Official and the Planning Department in the preparation of an application. The Planning Department shall refer an application and the Site Plan to the Planning Commission for its comments not later than thirty days before the public hearing to be held in relation thereto. Any report submitted to the Planning Commission at or prior to the conclusion of the public hearing shall be made public at the hearing.

C. Minimum Standards for Small Scale Sawmills:

1. A Concept Review application for operation and re-zoning must be submitted to the Planning Department and Planning Commission along with a site plan meeting all local, state, and federal requirements for review and approval before operations commence.
2. The Planning Commission may establish any additional conditions on the operation of any sawmill or chipmill, depending upon specific features of the site, the subject of such conditions which may include but are not limited to periods and hours of operation, noise levels, screening, setbacks, access, storage areas, parking and loading, odors, and materials storage.
3. Except in the I-1 Industrial zoning district, the hours of operation of any large-scale or small-scale sawmill shall be limited to between 6:00 AM and 6:00 PM Monday–Saturday.
4. All access roadways and vehicle and equipment parking areas shall be paved, or covered with gravel so as to be well-drained and provide an all-weather surface.
5. No soil, sawdust, chips, or debris from the site shall be deposited on any county or state maintained road.
6. No storage of logs, lumber, sawdust, bark, scrap wood or equipment of any kind shall be permitted within 50 feet of any side or rear property line or within 200 feet of the front property line.
7. No buildings, structures, log or lumber sorting or storage yards, parking areas or equipment storage areas shall be located within 100 feet from a stream edge or any wetland as defined by state or federal law.
8. A visual screen comprised of solid fencing at least 10 feet high or evergreen trees at least 20 feet in width shall be planted along any site boundary line that abuts one (1) or more residential lots and along the front setback except for the area along the entrance.
9. There shall be no burning of mill waste on the property.
10. All entrances must be gated and locked during hours of non-Operation.
11. All evergreen trees shall be at least eight (8) feet in height at time of planting and be spaced so as to form an opaque vegetative screen. The owner shall be responsible for maintaining this vegetative buffer.



#### **4.143 PORTABLE SAWMILL: AGRICULTURE ZONE**

##### **A. Minimum Standards for Portable Sawmills:**

1. An application for operation must be submitted to the Building Official for review and permitting approval before operations commence.
2. The Building Official may establish any additional conditions on the operation of any sawmill, depending upon specific features of the site, the subject of such conditions which may include but are not limited to periods and hours of operation, noise levels, screening, setbacks, access, storage areas, parking and loading, odors, and materials storage.
3. No saw or other noisy equipment shall be operated within 100 feet of any highway or for more than 60 days of any calendar year on an initial permit from the Building Official. Extensions of the permit may be granted as a Special Exception by the Board of Zoning Appeals for 30 additional days if extenuating circumstances exist.
4. No operations within 300 feet of any residence without a special exception permit from the Board of Zoning Appeals.
5. Such temporary sawmill use is limited to 7:00 am to 6:00 pm Monday through Friday in the Agriculture, Residential and Commercial zoning districts.
6. A portable sawmill shall only process timber cut from the parcel on which the portable sawmill is located and cut from parcels that are contiguous to such a parcel.
7. No building or structure shall be erected for the storage, drying or processing of timber.
8. No commercial, wholesale, or retail sales of timber products shall be permitted on the site.

#### **4.144 TEMPORARY SAWMILL: AGRICULTURE ZONE**

##### **A. Minimum Standards for Temporary Sawmills:**

1. An application for operation must be submitted to the Building Official for review and permitting approval before operations commence.
2. The Building Official may establish any additional conditions on the operation of any sawmill, depending upon specific features of the site, the subject of such conditions which may include but are not limited to periods and hours of operation, noise levels, screening, setbacks, access, storage areas, parking and loading, odors, and materials storage.
3. No saw or other noisy equipment shall be operated within 100 feet of any highway or for more than 14 days of any calendar year on an initial permit from the Building Official. Extensions of the permit may be granted as a Special Exception by the Board of Zoning Appeals for 7 additional days if extenuating circumstances exist.
4. No operations within 100 feet of any residence without a special exception permit from the Board of Zoning Appeals.
5. Such temporary sawmill use is limited to 7:00 am to 6:00 pm Monday through Friday in the Agriculture, Residential and Commercial zoning districts.

6. No building or structure shall be erected for the storage, drying or processing of timber.
7. No commercial, wholesale, or retail sales of timber products shall be permitted on the site.

**4.150 DEVELOPMENT STANDARDS FOR ACCESSORY DWELLING (MOTHER-IN-LAW APARTMENTS) (ADDED BY RESOLUTION 5, DATED MARCH 20, 2006 AND SECTION NUMBER AMENDED BY RESOLUTION 6, DATED JANUARY 24, 2011)**

1. An accessory dwelling shall be attached or, within the principal dwelling or attached or within an accessory structure to the principal dwelling.
2. The principal use of the lot shall be a detached dwelling unit.
3. No more than one accessory dwelling in conjunction with the principal dwelling unit shall be permitted on a single deeded lot.
4. The accessory dwelling shall be owned by the same party who owns the lot upon which the principal dwelling is situated.
5. Accessory dwellings may only be occupied when the owner of the lot resides within the principal dwelling which is situated upon the lot.
6. There must be adequate water supply and sewage disposal systems to serve the occupants of the accessory dwelling and any other residence on the property.
7. The accessory dwelling shall not be served by a driveway separate from that serving the principal dwelling.
8. Accessory dwellings may only be constructed upon lots which front a street. Accessory dwellings may not be constructed upon lots which are accessed by easement.
9. Adequate parking must be provided. There must be a minimum of one (1) off-street parking space per accessory dwelling.
10. All external modifications and improvements must be compatible with the existing dwelling and surrounding properties.
11. The accessory dwelling must have the same street (house number) as the main dwelling.
12. Except for telephone and/or cable service, only one meter per utility may be installed to service both the principal and accessory dwellings.
13. An accessory dwelling shall not exceed 650 square feet of first floor area (maximum footprint) or 50% of the first floor heated and cooled area of the principal dwelling, whichever is greater.
14. Accessory dwellings, either attached or detached, must comply with the minimum yard requirements; maximum lot coverage and height requirements of the zoning district in which the accessory dwelling is located.
15. Mobile homes and manufactured housing units shall not be used as an accessory dwelling.
16. An accessory dwelling must be constructed in conformance with the Cheatham County Building Codes.
17. An accessory dwelling unit shall not be rental property and the owner of the principal dwelling unit shall not collect rent or accept anything of value for the use and occupancy of the accessory dwelling unit.
18. Development Taxes for a new accessory dwelling unit shall be applied in the same manner as for a new principal dwelling unit. Adequate Facilities Taxes for a new accessory dwelling unit shall be applied based upon the square footage area of the new accessory dwelling unit portion of a structure. If a new accessory dwelling unit is to be attached to a principal dwelling, then the building permit fee shall be charged as for an addition to a principal dwelling. If a new accessory dwelling unit is to be constructed inside of an existing detached accessory structure, then the building permit fee shall be charged as for a remodel of whatever area of said existing detached accessory structure that is affected. If a new accessory dwelling unit is to be constructed inside of a proposed detached accessory structure, then a building permit fee shall be charged for the proposed detached accessory structure as a new accessory structure based upon the entire square footage of such new detached accessory structure and a building permit fee shall be charged as for a remodel of whatever portion of said new detached accessory structure that is to comprise the new accessory dwelling unit.